

Notice of Allowability

Application No.

10/675,248

Examiner

Russell Frejd

Applicant(s)

MAURUDIS ET AL.

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment received 12-October-2006.
2. ☒ The allowed claim(s) is/are 1-9 and 11-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RUSSELL FREJD
RUSSELL FREJD
PRIMARY EXAMINER

In re Application of: Maurudis et al.

Allowance of Application # 10/675,248

1. The following communication is in response to Applicant's Amendment and Terminal Disclaimer, received 12-October-2006. Claims 1-9 and 11-28 are pending in the application, and claim 10 was canceled by the Preliminary Amendment of 11-March-2004. This application is a Continuation of 09/713,732, filed on 15-November-2000, now USP 6,741,958; which is a Continuation of 09/096,774, filed on 12-June-1998, now USP 6,173,247.

Reasons for Allowance

2. The following is an Examiner's Statement of Reasons for the indication of allowable subject matter.

2.1 The instant application is directed to a nonobvious improvement over the coding algorithms described in the article, *BEC++: A Software Tool for Increased Flexibility in Algorithm Development*, by Harton et al., which discloses a fixed-point software implementation tool with syntax similar in look and feel to that of floating-point C, wherein the capabilities of BEC are extended through the introduction of C++ language features and object-oriented techniques.

2.2 The improvement comprises an apparatus and method for modeling a digital signal processor, wherein a high level programming language is used to model the data representations and operations of a target processor in a manner such that: a) the model generated data is bit-wise matchable to the machine language output results of the target processor, and b) the development time of a real-time implementation of certain commands on

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the target processor is decreased. These patentable distinctions are included in each of the independent claims 1, 11 and 20.

2.3 The art of record fails to teach, suggest, or render obvious the useful, concrete and tangible <modeling of a target digital processor output that is bit-wise matchable to the actual operation steps of the processor resulting in a decreased development time of a real-time implementation of certain commands on the target processor> having the corresponding structure which is disclosed in the specification and equivalents thereof at least at <page 5, line 5 through page 23, line 27, and Figures 1-10>. In view of the foregoing, the claims of the present application are found to be patentable over the prior art.

Response Guidelines

3. Any comments considered necessary by applicant **MUST** be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should clearly be labeled "Comments on Statement of Reasons for Allowance".

3.1 Any response to the Examiner in regard to this allowance should be

directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday from 0530 to 1400 ET, **or** the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks
P.O. Box 1450, Alexandria, VA 22313-1450

or faxed to: (571) 273-8300

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*Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401
Dulany Street, Alexandria, VA, 22314.*

Date: 10-December-2006

RUSSELL FREJD

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